

**WARREN CITY COUNCIL  
REGULAR MEETING  
OCTOBER 16, 2017 – 7:30 PM**

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**OPENING OF MEETING**

Mayor Cashman presided over the October 16, 2017 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Cashman announced that Council met in Executive Session regarding property matters immediately prior to this meeting.

**ROLL CALL**

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Philip Gilbert, Richard Kolcharno, John Lewis, and James A. Zavinski, Sr. Members of City Staff present were Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Mrs. Risinger, Mrs. Williams, Mr. Yurisc, Chief Zydonik, and Attorney Stapleford as well as Police Sgt. Deppen

**APPROVAL OF MINUTES**

Upon motion by Mr. Lewis and second by Mr. Fraser, the minutes of the September 18, 2017 Public Hearing and Regular Meeting were unanimously approved.

**RECOGNITION OF VISITORS**

Mayor Cashman welcomed Pauline Steinmeyer.

**CORRESPONDENCE**

There was no correspondence to come before Council.

**RESOLUTION NO. 3042: FAIR HOUSING**

Mr. Hildebrand stated that in accord with requirements of the Pennsylvania Department of Community and Economic Development's (DCED) Community Development Block Grant (CDBG) program, City staff prepared an updated Fair Housing Resolution. It was noted that the updated language pertains to support animals.

Upon motion by Mr. Fraser and second by Mr. Lewis, the resolution regarding Fair Housing was unanimously approved.

**RESOLUTION NO. 3043: DISTRIBUTION OF STATE AID TO PENSION PLANS**

Mrs. Risinger stated that, as required by the provisions of Act 205, the City must distribute the Commonwealth's 2017 Allocation of State Aid to Pension Plans among the City's three plans. The allocation for 2017 is in the amount of \$399,178.04. Accordingly, it was recommended that the allocation be distributed as follows:

Firefighters Pension Plan	156,001.00
Police Pension Plan	128,471.00
Municipal Employee Pension Plan	114,706.04
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Total Allocation	\$399,178.04

In response to Mr. Fraser's question, Mrs. Risinger indicated that the amount remaining for the City to meet the Minimum Municipal Obligation to the pension plans for 2017 is \$179,986.

Upon motion by Miss Davis and second by Mr. Zavinski, Council members voted unanimously to approve the resolution providing for the distribution of the 2017 General Municipal Pension System State Aid Allocation.

**RESOLUTION NO. 3044: DISPOSITION OF MEETING RECORDINGS**

Mrs. Leary stated that the Pennsylvania Historical and Museum Commission's Municipal Records Retention and Disposition Schedule's definition of "Non-Records" indicates that stenography tapes and mechanical recordings which have been transcribed may be disposed of at the convenience of the agency when they have no more value or use to the agency. It was further stated that, upon the advice of both the prior and current City Solicitor, the City has followed the policy of destroying recordings of public meetings following approval of the corresponding minutes. This is accomplished either by physical destruction of a tape, recording over a prior recording, or deletion of the digital file.

The Office of Open Records determined that recordings of public meetings are public records from the time that the public meeting is adjourned until the time that the recording is destroyed. Therefore, to memorialize the present practice and to provide a means to substantiate such practice in responding to Right to Know requests, it was requested that Council adopt a resolution providing for the destruction of audio and audio-visual recordings pertaining to public meetings of City Council and its established boards, commissions, and committees.

Upon motion by Mr. Fraser and second by Mr. Lewis, Council voted unanimously to approve the resolution providing for the destruction of audio and audio-visual recordings pertaining to public meetings of City Council and its established boards, commissions, and committees.

**AGREEMENT AND RESOLUTION NO. 3045: PENNDOT AGILITY PROGRAM**

Mr. Holtz stated that the City initially entered into an Agility Agreement with the Pennsylvania Department of Transportation (PennDOT) in October of 1998 to promote and facilitate the sharing of materials, equipment, services, and other resources. The Agility Agreement is periodically updated.

PennDOT allows maintenance districts to update or renew current agreements with municipalities in order to expand materials and services available through the program. The updated agreement is for a term of five years.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve the Agility Agreement with PennDOT to facilitate the sharing of equipment, services, and other resources.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to approve the resolution authorizing execution of the PennDOT Agility Agreement.

**ORDINANCE NO. 1898: AMENDING SECTION 8 OF ORDINANCE NO. 1896**

Mr. Holtz noted that Council previously approved Ordinance No. 1896 which regulates the installation, maintenance, and repair of sidewalks. Section 8 of that ordinance pertains to sidewalk interference with trees and tree roots. It was recommended that the language in this section be amended to more particularly set forth rights and responsibilities with respect to sidewalks that must be repaired or replaced due to disruption caused by tree roots.

Upon motion by Mr. Fraser and second by Miss Davis, Council voted unanimously to approve the ordinance amending Section 8 of Ordinance No. 1896.

**PROPOSED ORDINANCE: SOLID WASTE**

Mr. Holtz noted that on August 14, Council held a work session for the purpose of reviewing and discussing a proposed Solid Waste Ordinance. Following the work session, recommended changes were made to the ordinance.

The proposed ordinance included the option to request proposals for a single collector to serve all residential properties in the City. It was stated that such a system would ensure that refuse collection services are provided to all residents, would reduce the instance of the accumulation of excess garbage and clutter on properties, and would minimize the wear and tear on City streets resulting from multiple haulers serving customers. The provision for a single collector as contained in the proposed ordinance does not require that the City contract with a single collector. However, the language was included so that such a system could be implemented at any time that Council might choose to do so.

The proposed ordinance also contained regulations pertaining to recyclable materials and the collection thereof. It was indicated that a Request for Proposals would be advertised for a recyclables collection contract to be effective January 2, 2018.

There was considerable discussion during which Mr. Lewis expressed his concerns regarding the contracting of a single collector for all residential properties. Mayor Cashman noted that one of the reasons for the provision regarding a single collector was to determine whether reduced pricing might be obtained for all residents. Mayor Cashman further noted that Council would be required to approve or reject bids/proposals submitted for a single collector program.

Mr. Fraser made the motion to approve the proposed ordinance. The motion was seconded by Miss Davis and failed with three votes in the affirmative and four nay votes cast by Mr. Lewis, Mr. Gilbert, Mr. Zavinski, and Mr. Kolcharno. Prior to the vote, Mr. Lewis suggested that the motion be amended to remove the portion pertaining to a single collector.

Mr. Holtz noted that it is necessary to advertise for bids/proposals for a new three-year contract for the curbside collection of recyclable materials.

Mr. Lewis made the motion to authorize the letting of bids for a three-year contract for the curbside collection of recyclable materials. The motion was seconded by Mr. Kolcharno and carried unanimously.

**PURCHASE OF PUBLIC WORKS PICKUP TRUCK**

Mr. Holtz state that the Department of Public Works has a 1999 Ford F-250 4-wheel drive pickup with a plow and small plastic box salt spreader. The truck will not pass the annual state inspection without significant repairs estimated at \$6000. The truck is used all year; however, one of its primary uses is for plowing the Clark Street Parking Garage as well as the smaller cartways throughout the City which cannot be handled by the larger plows.

A truck that would meet the City's needs is available through Hondru Chevrolet, a COSTARS State Purchasing Contract vendor. The truck is a new 2016 Chevy 2500 HD pickup with an 8-foot Western Pro Plus plow and is on the lot and ready for delivery. The proposed funding for the unbudgeted purchase of this truck is as follows:

Parking Fund	\$ 9,487.50	(25%)
Sewer Fund	9,487.50	(25%)
General Fund	<u>18,975.00</u>	(50%)
	<u>\$37,950.00</u>	

Mr. Lewis made the motion to authorize the purchase of the 2016 Chevrolet 2500 HD pickup with an 8-foot Western Pro Plus snow plow from COSTARS vendor Hondru Chevrolet for the purchase price of \$37,950. The motion was seconded by Mr. Zavinski and carried unanimously.

Mr. Lewis made the motion to authorize disposition of the 1999 Ford F-250 4-wheel drive pickup truck in a manner permitted by the City Code. The motion was seconded by Mr. Fraser and carried unanimously.

**DEPARTMENT REPORTS – SEPTEMBER, 2017**

The following reports were presented for Council’s review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department
- Community & Economic Development

Mrs. Williams announced that Ken Hinton, Codes Officer, successfully completed the exam to be certified to perform Residential Plan Reviews and Building Code Inspections. Mayor Cashman asked that Council’s congratulations be extended to Mr. Hinton.

**APPROVED MINUTES OF BOARDS AND COMMISSIONS**

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	– August 24, 2017	Regular Meeting
Planning Commission	– August 16, 2017	Regular Meeting
Street Landscape Committee	– August 22, 2017	Regular Meeting

**ADJOURNMENT**

There being no further business to come before Council, Mayor Cashman declared the meeting adjourned.